# MANIPUR GAZETTE

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**GOVERNMENT OF MANIPUR**
**OFFICE OF THE**
**KWAKTA MUNICIPAL COUNCIL**
**KWAKTA, MANIPUR**

## NOTIFICATION

Kwakta, the 19th January, 2022

No. 33/1/KMC/Bye-Laws/2022: It is hereby notified for information of all concerned, that, in exercise of the powers conferred under Section 209 (1) of the Manipur Municipalities Act, 1994, the Kwakta Municipal Council framed the following draft Bye-Laws.

| | |
|---|---|
| 1. | The Draft Kwakta Municipal Council (Entry Toll on Vehicles and Animals) Bye-Laws, 2022. |

Copies of the draft Bye-Laws can be obtained from the office of the undersigned during office hour.

Claims and objections, if any, in this regard may be submitted in writing to the undersigned within 15 days from the date of publication of these draft Bye-Laws in the Official Gazette of Manipur during office hours. Claims and objections received after the said period shall not be entertained.

GOUGINLAL,
Executive Officer,
Kwakta Municipal Council, Manipur.

# THE DRAFT KWAKTA MUNICIPAL COUNCIL (ENTRY TOLL ON VEHICLES AND ANIMALS) BYE-LAWS, 2022.

In exercise of the power conferred by Section 209 (1) of the Manipur Municipalities Act, 1994, the Kwakta Municipal Council makes the following bye-laws for collection of Entry Toll on Vehicles and Animals namely: -

## "THE DRAFT KWAKTA MUNICIPAL COUNCIL (ENTRY TOLL ON VEHICLES AND ANIMALS) BYE-LAWS, 2022"

1. (i) These Bye-laws may be called the Draft Kwakta Municipal Council (Entry Toll on Vehicles and Animals) Bye laws, 2022.

   (ii) They shall extend to the whole area of the Kwakta Municipal Council.

   (iii) They shall come into effect from the date on which they are published in the official Gazette.

2. In these Bye-Laws unless there is anything repugnant in the subject or context otherwise requires: -

   a) "Act" means the Manipur Municipalities Act 1994.

   b) "Check Post" means a place at the limit of the Kwakta Municipal Council area where Kwakta Municipal Council officers/employees/agents authorized for the Purpose of assessing and realising toll on vehicles and animals the Kwakta Municipal Council areas are stationed.

   c) "Heavy vehicle" means a heavy vehicle as defined in the Motor Vehicle, Act, 1988.

   d) "Light Vehicle" means a light vehicle as defined in the Motor Vehicle Act, 1988.

   e) "Vehicle" means and includes both motorized vehicles such as Bus, Lorry, Mini Bus, Tempo, Car, Jeep, Auto-Rickshaw and two wheelers and non-motorized vehicles such as animal driven cart, and rickshaw.

   f) "Schedule" means schedule appended to this Bye-law.

   g) "Executive Officer" means the Executive Officer of the Kwakta Municipal Council.

   h) "Municipal Council" means the Kwakta Municipal Council.

3. Every vehicles and/or animal entering the Kwakta Municipal Council area shall be levied and payable an entry toll at the rate specified in Schedule 'A'.

   Explanation: Where a Vehicle is loaded with vehicle (s) or animal (s), the vehicle(s) or the animal(s) shall be treated as load and no separate toll(s) shall be payable for such loaded vehicle(s) or animal(s).

4. The Kwakta Municipal Council may determine and declare as many number and locations of check posts at different convenient and suitable point(s) of entry into the Kwakta Municipal Council area as considered necessary for the purpose of these bye-laws.

5. (i) No vehicle and/or animal shall enter or attempt to enter the Kwakta Municipal Council area except through a Check post duly set-up by the Kwakta Municipal Council.

   (ii) No vehicle and/or animal shall enter into the Kwakta Municipal Council area without the full Payment of the due entry toll at the Check Post of the entry Point.

6. The owner or driver or person-in-charge of a vehicle or the owner or person-in-charge of an animal shall be liable to pay the toll on the vehicle and/or animal as the case may be for any additional entry made during a period of one day calculated from midnight to midnight.

7. The toll on vehicle or animal shall not be leviable in respect of:-

(a) Vehicle or animal belonging to the Central and State Government and use solely for public or official purposes and not used or intended to be used for purposes of profit.

(b) Vehicle or animal belonging to the Kwakta Municipal Council and

(c) Vehicle or animal belonging to the Red Cross Society.

8. (i) Any owner or person whose vehicle or animal makes regular entry into the Kwakta Municipal Council area may on an application to the Executive Officer, be allowed to compound the payment of the entry toll on such vehicle or animal in yearly, half yearly or monthly term.

(ii) The amount of compounded tolls for yearly, half-yearly and monthly shall be the amount or toll payable under bye-law 3 for 365 days, half of the yearly amount and 1/12 (one-twelve) of the yearly amount respectively subject to the following rebate:

(a) 25% rebate in respect of yearly payment:

(b) 15% rebate in respect of ½ yearly payment: and

(c) 5% rebate in respect of monthly payment.

(iii) The toll shall be payable to the Kwakta Municipal Council office instead of at the Check Post in case of realization of the tolls by the Kwakta Municipal Council itself and to the agent in case of realization of the same through the agent appointed under the provisions of bye-law 14.

(iv) A token or badge or pass shall be issued by the Kwakta Municipal Council or the agent, as the case may be, in respect of all compound payment of tolls.

9. The agent of the authorized officer(s) employee(s) at the Check post shall, on payment of the full amount of toll, forthwith issue a formal date of receipt in the form given in the Schedule 'F' affixing the seal of the agent or the Kwakta Municipal Council, as the case may be.

10. The officer/employee in charge of a Check post shall submit the amount of tolls collected daily to the Executive Officer or any other person appointed by the Executive Officer in this regard, with a collection statement in the form given in Schedule-B. They will also submit weekly and monthly collection statements in the form given in Schedules C and D respectively.

11. (i) Every Check post shall maintain an Inspection book in the form given in Schedule E. The Executive Officer or other officers/officials authorized by the Executive Officer shall inspect the Check post periodically and

(ii) The check post shall be visited and inspected by the Executive Officer or any other officer/official of the Kwakta Municipal Council duly authorized by the Executive Officer in this behalf and note their observations/findings in the Inspection Books.

12. The Kwakta Municipal Council shall examine the collection figures as reflected in the collection statement (daily, weekly and monthly) once in a month and decide such other arrangements/actions to be taken-up for ensuring the speedy and increased collection of tolls.

13. The agent or the officer/employee-in-charge of a Check post shall display a copy of the Schedule or Rates, duly signed by the Executive Officer, in a conspicuous part of Check Post.

14. (1) For the purpose of collection of toll tax the Kwakta Municipal Council may, by a resolution passed in a meeting, appoint such person(s) / firms / agency by inviting tenders for collection of entry toll on vehicles and/or animals on such terms and conditions as may be decided by it. The agent(s) appointed under this bye-law shall have the same power of the officer / employee of the Kwakta Municipal Council in charge of a check post in respect of collection of tolls.

(2) Notwithstanding anything contained in Section 14 (1), the power to appoint such person / firms / agency for the purpose of collection of toll tax shall be vested in the Administrator or Caretaker Chairperson or any other persons appointed by the government to look after the affairs of the Council during the period of dissolution or suspension of the Council or at the expiry of the term of the council under any provision of the Manipur Municipalities Act, 1994.

15. All powers of the Kwakta Municipal Council under these bye-laws or any other power that is expedient or necessary for the purposes of these bye-laws shall be exercised by the Executive Officer or any other officer/employee of the Kwakta Municipal Council authorized or empowered by the Executive Officer in this behalf.

16. Whenever a dispute arises as to the liability of payment of toll, the aggrieved party shall first pay the toll to authorized agent or the officer/employee in charge of the Check post and may then prefer an appeal to the Executive Officer of the Kwakta Municipal Council whose decision shall be final in all such cases. The Executive Officer shall clearly state in his order whether the toll paid as aforesaid shall be returned or not.

17. Every officer or employee, or agent, duly authorized to realize entry toll under these Bye-laws, may reasonably seek the assistance of any Police Officer on duty under section 107 (6) of the Act for the efficient discharge of the duties under these bye-law.

18. Any person committing a breach of any of these bye-laws shall be liable in addition to the penalties imposed under the Act, to pay a fine not exceeding Rs.100/- for every such breach and his vehicle or animal may be seized or detained by the officer/employee/agent at the Check post.

## SCHEDULE 'A'

(See Bye-Law 3)

**KWAKTA MUNICIPAL COUNCIL**

Schedule of rate of entry toll on vehicle and animals

| | | Loaded | Unloaded |
|---|---|---|---|
| **A-Vehicles:** | | | |
| 1. | Each Heavy vehicle etc. | Rs. 20/- | Rs. 10/- |
| 2. | Each light vehicle. | Rs. 10/- | Rs. 5/- |
| 3. | Others (including 2-wheelers) | Rs. 3/- | Rs. 3/- |
| **B- Animals:** | | | |
| 1. | Each Buffalo | Rs. 7/- | |
| 2. | Each Pony, Mule, Bull, Bullock, Cow, Donkey, Either etc. | Rs. 5/- | |
| 3. | Each Ass, Pig, Goat | Rs. 3/- | |
| 4. | Each calf of more than 6 month old. | Rs. 3/- | |
| 5. | Others | Rs. 2/- | |

## SCHEDULE 'B'

(See Bye-Law 10)

**KWAKTA MUNICIPAL COUNCIL**

Daily return on collection of toll on entry of vehicles and animals

Name of Check post_____

Name of Officer-in-charge _____

Date and hour of the shift _____

Pages of Receipt _____

Book issues from_____

| 1. Classification of vehicles | Number | Rate | Amount |
|---|---|---|---|
| (i) | | | |
| (ii) | | | |
| (iii) | | | |
| 2. Classification of animals | | | |
| (i) | | | |
| (ii) | | | |
| (iii) | | | |
| Grand Total | | | |

Dated

Signature of the Officer-in-charge

**SCHEDULE 'C'**
(See Bye-Law 10 law)
**KWAKTA MUNICIPAL COUNCIL**

Comprehensive weekly Return on collection of toll on entry of vehicles and animals Period from ..... to .....

| Name of Check post Receipt No. used. | Shift Vehicle Vehicle | Toll on a/c of of animals of animals | Toll on a/c of | Total Amount |
|---|---|---|---|---|
| 1 2 | 3 4 | 5 | 6 | 7 |
| Grand Total | | | | |

Date .....  Signature of the Inspecting Officer

**SCHEDULE 'D'**
(See Bye-Law 10)
**KWAKTA MUNICIPAL COUNCIL**

Monthly abstract of weekly returns on collection of toll on entry of vehicles and animals.

For the month of ..... 20.....

| Name of Check post Receipt No. used. | Amount of Toll on a/c of Vehicle No. Amount | | Amount of toll On a/c of animal of toll No. Amount | | Total amount |
|---|---|---|---|---|---|
| 1 | 2 3 | 4 | 5 | 6 | 7 |
| Week 1. | | | | | |
| 2. | | | | | |
| 3. | | | | | |
| 4. | | | | | |
| 5. | | | | | |
| 6. | | | | | |
| Grand Total | | | | | |

Date .....  Signature of the Inspecting Officer

**SCHEDULE 'E'**
(See Bye-Law 1 (i))
**KWAKTA MUNICIPAL COUNCIL**

Name of the Check post .....

| Date and hour of inspection | No. of last receipt issued | Total of the tax collected during the shift | Note of inspection with suggestion if any and signature of inspecting officer |
|---|---|---|---|
| 1 | 2 | 3 | 4 |

**SCHEDULE 'F'**
(See Bye-Law 9)
**KWAKTA MUNICIPAL COUNCIL**

Book No. ..... Receipt No . ..... Receipt No. ..... as toll for entry of animal/light/heavy vehicles (load/unloaded).

Date .....

By order
**Kwakta Municipal Council**

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